

(SRI H. SIDDAVEERAPPA.)
and financial details are being worked out.

Itakadibbanahalli Hobly Police Station.

Q.—671. Sri. C. T. HANUMAN-THAIAH (Pavagada—Scheduled Castes).—

Will the Government be pleased to state:—

since when a temporary Police Station in Itakadibbanahalli hobli, Madhugiri Taluk has been established; and the reason for not making it permanent so far?

A.—SRI H. SIDDAVEERAPPA (Minister for Home).—

Only a temporary Police Outpost was opened on 20 August 1953 and it has been continued year by year up to 20 August 1956. The question of making it permanent will be examined before the expiry of the period for which it has now been sanctioned.

ADJOURNMENT MOTION

Re. Situation arising out of Minister's statement on State Reorganisation Commission Report.

Mr. SPEAKER.—I wish to bring it to the notice of the House an adjournment motion. Usually it will not be read before it is taken up, but since this is an important matter and since we are going to take it up tomorrow, I will bring it to the notice of the Hon'ble Members. This is the adjournment motion.

“That this House do stand adjourned to discuss a definite matter of urgent public importance and of recent occurrence, viz., the situation arising out of the statement issued on 11th October 1955 by three Cabinet Ministers Sriyuths A. G. Ramachandra Rao, T. Channiah and Kadidal Manjappa in respect of the Report of the States Reorganisation Committee in violation of the principles of

Joint Responsibility and showing sharp differences of opinion in the Cabinet.”

This is tabled by Sri Imam. This will be taken up tomorrow.

Sri A. BHEEMAPPA NAIK (Molakalmuru).—It will be taken up as an adjournment motion?

Mr. SPEAKER.—The question of its admissibility or otherwise will be taken up.

Expressions to be Expunged in the Proceedings of 11th November 1955.

Mr. SPEAKER.—Yesterday Hon'ble Member Sri Palaniappan suggested that certain expressions which had been used during the question hour yesterday should be expunged. I want to inform the Hon'ble Member and the House that I wish to go through the proceedings and direct that the words which should not properly find a place in the proceedings may be expunged.

Member's Right to continue his speech after an interval if absent when debate is resumed.

Mr. SPEAKER.—On 7th April, when the House adjourned at 5 P.M. Sri H. M. Channabasappa was speaking on the motion for consideration of the Mysore Tenancy (Second Amendment) Bill, and had not concluded his speech. Further debate on this motion was put down for the 9th instant after question hour. There were eight questions included in the list of questions for that day; unfortunately not even one of those eight members whose questions had come up that day were present in the House when the House assembled at 8-30 A.M. The House, therefore, proceeded to resume the debate on the motion for consideration of the Tenancy Bill. Sri H. M. Channabasappa was not in his seat and could not therefore rise to continue his speech. Another Hon'ble Member who caught the Speaker's eye thereupon proceeded to speak on the Bill. By the time he finished his speech, Sri Channabasappa came into

the House and desired to continue his speech which he had left unfinished the previous day.

On the question whether he could be permitted to do so, several Hon'ble Members spoke at great length and have raised several important issues. As any ruling to be given would act as a precedent for the future and as it was a matter of some importance I reserved my ruling.

As Hon'ble Members are aware, as soon as a motion is moved and the member who moves has spoken, the debate begins. Hon'ble Members are thereafter and subject to rules, entitled to take part in the debate. The question immediately arises, how is precedence in speaking to be secured and who is to decide the order of speakers. In the House of Lords the right of a Peer to address the House depends solely upon the will of the House. And where two peers rise at the same time, unless one gives way, it is left to the House to call upon one of them to speak. On the other hand, in the House of Commons, it is left to the Speaker to arrange the precedence in speaking. Formerly, if the Speaker's call was questioned by the House, a motion was made that one of the members who had risen to speak be now heard. According to present usage this mode of proceeding has been given up and the decision is left to the Speaker to decide the order of speeches. Redlich observes that the change of practice is a wise one and when a debate is lively a crowd of members rise at every opportunity and the House is no better able to judge who was first than the speaker. Our Rules of Procedure follow the House of Commons practice in this respect. According to Rule 150 (i) the members speak to the motion in such order as the Speaker may call upon them. This does not mean that the Speaker exercises any right to select speakers from among all the members of the House. It merely means that when, on the conclusion of one speech, a number of members rise to speak to the motion, he selects one of those who have risen to speak to do so. Such a selection is known as catching the Speaker's eye.

It follows therefore that while a member cannot sit quiet and wait to speak when he is called upon by the Chair, he cannot at the same time claim as of right that because he has risen to speak to a motion, he should be permitted to do so. "Called upon to speak" means having risen to speak and being permitted to do so. There is on the one hand the desire of the member to speak expressed by his rising in his seat and on the other hand the decision of the Speaker to permit him to do so in preference to others who may have risen to speak at the same time. I have set out this well-known procedure at some length because some Hon'ble Members who spoke the other day appeared to feel that as I did not call upon Sri Channabasappa to speak he had not forfeited his right to continue his speech.

Now we come to another important rule regarding order in debate. This is set out as follows by Redlich in his authoritative book; 'The Procedure of the House of Commons':

"There is, of course, the fundamental rule of English Parliamentary law, that on any given question each member is entitled to speak *once only*. It follows that in a debate on a simple motion a member has only one opportunity of speaking. . . The rule is so strict that it prevents a member who speaks with the intention of ending a motion and for any reason does not propose it from repairing his omission: to do so he would have to rise and address the House again."

He also states that this rule is subject to a very few exceptions to which I shall refer later. May in his 'Parliamentary Practice' also refers to this rule as one which is strictly observed in both the Houses. It is this rule that has been embodied in our Rules as Rule 150 (2). It stands to reason also that a member who has spoken once should yield place to another who has not spoken at all. If a member was given the right to speak as many times as he pleased, relevancy

(MR. SPEAKER.)

in debate would be affected and short and pithy speeches would disappear and debate would get diffused and disjointed. Normally it would be impossible to expect that on every question all the members of the House can expect or get a right to speak and where a member who has caught the Speaker's eye and is permitted to address the House, does not utilise the opportunity fully, he cannot be expected to encroach upon the time which should be really available for other members who have not spoken at all to the motion.

We will now come to the exceptions. The first exception is as regards a right of reply given to a member who has moved a substantive motion. This is an exception which is provided for in our Rule 150 (2) and (3). The second exception is a case where a member wants to offer explanation of some material part of his speech which has been misunderstood. In such a case he may speak a second time but not introduce new matter or endeavour to strengthen by new arguments his former position which he alleges has been misunderstood. This is a case which is not specifically provided in our rules, though Rule 149 relates to one aspect of it, but would come under Rule 150(2) and is one of those cases in which the permission of the Speaker is given and the member makes a second speech under Rule 150(2). A third exception is that this rule against speaking more than once does not apply in the case of a Committee of the whole House. Such a procedure is not in vogue in our Legislature and this exception therefore does not apply to our House. There are however cases where, on important matters, a Minister who has already spoken to a motion may have to speak again in the light of subsequent debate and it is in the interest of the country and to clarify the attitude of Government in regard to matters of public importance that he should be permitted to speak a second time. Such a case is not uncommon in England and so far as we are concerned is covered by Rule 150(3).

It is in the background of this practice that we have to examine the present case. Sri Channabasappa had already spoken to the motion. He claimed that he might be permitted to continue his speech and if that was not possible he might be given an opportunity to speak a second time. He reinforced his plea by saying that question hour was not fully utilised and so he was called upon to speak earlier than he anticipated. Our rule regarding questions is as follows :

“Unless the Speaker otherwise directs the first hour of every day of meeting shall be available for the asking and answering of questions” (Rule 24).

The rule merely says that the first hour shall be available for questions. “Available” does not mean that it has to be fully utilised. That depends on the number of questions actually taken up. It means that questions should not extend beyond the first hour so as to eat into time available for other business. It does not mean that if questions and answers take less than the first hour, the House has to wait for the first hour to be over before proceeding to the other items on the Agenda. In the present case it is unfortunate that the member was misled into thinking that his turn to resume his speech would only come at the end of the first hour. While it may be unfortunate, it cannot affect the application of the well-understood rules of debate.

Two points require to be determined. One is whether Sri Channabasappa could be permitted to resume his speech. Since he was not in his seat on the next day when the debate on the motion was resumed he obviously forfeited his right to resume his speech. It is stated in May “On resuming an adjourned debate, the member who moved its adjournment is by courtesy entitled to speak first on the resumption of the debate: but for that purpose he must rise in his place in order to avail himself of his privilege as unless he rises it is not the duty of the Speaker to call upon him.” What applies to a member who has not at all

spoken would apply with greater force to one whose speech was cut short by the House rising for the day and it was his duty to be present in the House and rise in his seat when the debate was resumed.

The second question is whether he may be permitted in the circumstances of the case to make a second speech.

Rule 150(1) is clearly inapplicable. The second sentence of that rule means that when a member rises to speak and catches the Speaker's eye and is called upon to speak but some extraneous circumstance intervenes and he does not proceed to speak at that time, he will lose his chance unless the Speaker permits him to speak at a later stage. 'At a later stage' obviously means, a stage later than the one when he was called upon to speak but did not do so. It must be within the recollection of Hon'ble Members that when Sri K. Pattabhiraman and Sri T. Siddalingiah both rose to speak on the Report of the Fact Finding Committee and the Chair called upon Sri K. Pattabhiraman to speak he requested the Speaker to permit Sri T. Siddalingiah to speak first. Sri K. Pattabhiraman spoke after Sri T. Siddalingiah concluded his speech. It is such a case that falls under Rule 150(1).

It is only Rule 150(2) that would apply. There is no doubt that the Speaker has the discretion to permit a member to make a second speech. But in exercising that discretion the Speaker has to balance the claims of the member who has already spoken against the claims of all the other members of the House who have not spoken at all but may desire to do so. It is not as if this case falls under one of the exceptions I have referred to above requiring that the discretion should be exercised in favour of a second speech. This is a case where the member, no doubt due to an unfortunate set of circumstances, was not in his seat to resume his speech when the debate was resumed. I think I will be failing in my duty to the House as a whole and to those members who have yet to speak to the motion if I permitted a second speech for Sri

Channabasappa. Actually Sri Channabasappa has in all spoken for four hours on the motion for consideration. This is an important motion on which I am sure several other Hon'ble Members have yet to speak.

I have therefore come to the conclusion that by absentsing himself at the proper time Sri Channabasappa has lost his right to speak on the motion and that a second speech cannot be permitted to him.

PAPERS LAID ON THE TABLE

SECRETARY.—As required by Rule 90-F of the Rules of Procedure and Conduct of Business in the Mysore Legislative Assembly I beg to lay on the Table of the House the Mysore Labour Housing (Amendment) Bill, 1955, as passed by the Legislative Council.

THE MYSORE UNIVERSITY BILL, 1955.

Motion to consider (contd.)

*ಶ್ರೀ ಜಿ. ಶಿವಪ್ಪ (ಹೊಳೆರೆ).—ಸ್ವಾಮಿ, ನಿನ್ನ ದಿವನ ಈ ಬಿಲ್ಲನ ವಿಚಾರವಾಗಿ ಮಾತನಾಡುತ್ತಾ ಹೇಳಬೇಕಾದ ಅಂಶಗಳನ್ನು ಅಷ್ಟನ್ನೂ ಹೇಳಿದ್ದೇನೆ. ಕೇವಲ ಎರಡು ವಿಚಾರಗಳನ್ನು ಮಾತ್ರ ತಿಳಿಸಿ ಈ ಬಿಲ್ಲನಮೇಲೆ ನನ್ನ ಭಾಷಣವನ್ನು ಮುಕ್ತಾಯ ಮಾಡುತ್ತೇನೆ. University Authorities ಎಂದರೆ University Senate, Syndicate ಮುಂತಾದ ಆಡಳಿತ ಸಂಸ್ಥೆಗಳಲ್ಲಿ non-official representation ಹಿಂದೆ ಇದ್ದುದಕ್ಕಿಂತಲೂ ಈಗ ಕಡಿಮೆ ಮಾಡಿದೆ. ಈಗ ಈ Act ಪ್ರಕಾರವಾಗಿ autonomy ಹಾಸ್ಟಿ ಆಗತಕ್ಕ ಸಂದರ್ಭ ಇರುವುದರಿಂದ non-official elements ಹೆಚ್ಚಾಗಿರುವುದಕ್ಕೆ ಅವಕಾಶ ಕೊಡಬೇಕೆಂದು ನಾನು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ. ಏತಕ್ಕೆಂದರೆ Assembly ಮತ್ತು Councilಗೆ ಇದರ ಮೇಲಿರುವ ಅಧಿಕಾರವನ್ನು ಈಗ ಕಡಿಮೆಮಾಡಿದೆ. ನಿನ್ನ ನನ್ನ ಮಿತ್ರರಾದಂಥ ಶ್ರೀಮಾನ್ ಮುಲ್ಕ ಗೋವಿಂದರಾಜ್ ಅವರು ಸಹ ಈ ವಿಚಾರದಲ್ಲಿ ಪ್ರಸ್ತಾಪಮಾಡಿದ್ದಾರೆ. ಹಿಂದೆ ಇದ್ದುದಕ್ಕಿಂತಲೂ ಯಾವ ದೃಷ್ಟಿಯಿಂದಲೂ non-official representation ಕಡಿಮೆಮಾಡ ಕೂಡದು ಎಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

ಅತಿ ಮುಖ್ಯವಾದ ಅಂಶ ಈ ಬಿಲ್ಲಿನಲ್ಲಿ ಕಾಣುವುದೇನೆಂದರೆ Social Service Board. ಕೆಲವರ ಅಭಿಪ್ರಾಯದಲ್ಲಿ ಇದು ಎಷ್ಟರಮಟ್ಟಿಗೆ ಕೆಲಸಮಾಡುತ್ತದೆ, practical ಆಗಿ ಕೆಲಸ ಮಾಡುವುದಕ್ಕೆ ಸಾಧ್ಯವಾಗುತ್ತದೆಯೇ ಎಂಬ ಅನುಮಾನ ಬಂದಿದೆ. ವಿದ್ಯಾಭ್ಯಾಸದ ಸುಧಾರಣೆ